

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BIONPHARMA INC.,

Plaintiff,

v.

CORERX, INC.,

Defendant.

Case No. 1:21-cv-10656-JGK

**[PROPOSED] ORDER**

**WHEREAS** This Court entered an order on January 27, 2022 granting injunctive relief (ECF No. 50), with an additional order entered on February 4, 2022 (ECF No. 79) (together, the “Preliminary Injunction”);

**WHEREAS** on February 2, 2022, Azurity Pharmaceuticals, Inc. (“Azurity”) moved to intervene for the limited purpose of moving to reconsider or appeal the Preliminary Injunction (ECF Nos. 66-71) (“Motion”);

**WHEREAS** Azurity has significant interest in the above-captioned action and has timely filed its motion;

**WHEREAS** on Monday, February 7, 2022, Defendant CoreRx, Inc. (“CoreRx”) filed a motion to stay the Preliminary Injunction entered by the Court pending CoreRx’s appeal (ECF Nos. 82-85);

**WHEREAS** Azurity has withdrawn that aspect of its motion for the Court to reconsider its order granting the Preliminary Injunction, and instead has moved for the Court to order that the record on the Preliminary Injunction has been supplemented to include the material submitted with Azurity’s Motion;

**WHEREAS** Azurity’s motion to intervene remains pending, and has not been withdrawn; it is hereby

**ORDERED** that Azurity’s Motion to Intervene is **GRANTED** for the limited purpose of appeal of the Preliminary Injunction entered by the Court, and it is also

**ORDERED** that Azurity's Motion for Reconsideration has been withdrawn and is therefore **MOOT**, and it is also

**ORDERED** that the record on the Preliminary Injunction has been supplemented to include the material submitted with Azurity's Motion.

Dated: \_\_\_\_\_

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THE HONORABLE JOHN G. KOELTL, U.S.D.J.